AFFIDAVIT OF AMBROSE O'NEAL, ESQ., COUNSEL TO THE PLAINTIFFS

STATE OF TEXAS §
§
COUNTY OF HIDALGO §

Ambrose O'Neal, being duly sworn, deposes and states:

1. "My name is Ambrose O'Neal. 1 am over 18 years of age. My new contact address is 1616 E. Griffin Pkwy. # 121, Mission, Texas 78572, former address is P. O. Box 722354, Houston, Texas 77272, from which all my mail is forwarded to the new contact address; and e-mail is lawoneal@yahoo.com. I am fully competent to make this affidavit and I have personal knowledge of the facts stated in this affidavit. To my knowledge, all of the facts slated in this affidavit are true and correct.

2. I am the current Counsel of Record for John Ayanbadejo and Felicia Malveaux Ayanbadejo in this matter and am a member of the Bar of this Court. I make this affidavit in support of the Motion to Reopen Time to Appeal.

3. On or about 2/27/2009, Plaintiff John Ayanbadejo hired me as additional counsel to represent them, the plaintiffs, for the remand proceeding and for possible further Appeals.

4. On or about 2/28/2009, Mr. Ayanbadejo who is admitted to the United States District Court, Southern District of Texas, Houston, filed on my behalf ray Notice of Appearance giving the Court my contact information and e-mail address for notification purposes and the corrected response in opposition to motion for summary judgment.

5. Mr. Ayanbadejo occasionally contacted me regarding the status of the case and enquired if I have received any notice of issuance of the judgment from the Court, Since I have not received any such document or information from the Court, he was advised the same.

6. On or about 3/27/2010. concerned that he still has not heard anything from the Court or from any counsel representing them, the plaintiffs, Mr. Ayanbadejo contacted me and I informed him that I still have not heard or received anything from the Court and however informed him that I have recently changed office address, but all my mail was forwarded to my new office address and of the need to change the address with the Court.

7. On or about 3/29/2010, Mr. Ayanbadejo e-mailed me a copy of the Court's decision. A copy of Mr. Ayanbadejo's e-mail is attached as Exhibit "1".

The exhibits attached to this Motion are true and correct copies of the documents filed in this court or as viewed by me in the filing of this application as provided."

_____

Ambrose O'Neal, Affiant

SWORN TO and SUBSCRIBED before me by **Ambrose O'Neal,** on March 31, 2010.

_____

Notary Public in and for
the Stale of Texas

From: John Henry (johnhenryesq@yahoo.com)
To: lawoneal@yahoo.com;
Date: Mon, March 29, 2010 3:46:00 PM
Cc:
Subject: Ayanbadejo v. Napolitano (Very Urgent)

Hi Ambrose,

I went this morning to get a copy of the decision from the Court as Salvador Colon has still failed, refused, and or neglected to send me a copy. Please find attached the decision of the Court.

Thanks,

John-Henry

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Thanks for your cooperation in this matter.